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PATENT
ATTORNEY DOCKET NO.: 045636-5048

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

Isabelle POQUET *et al.*

Application No.: 09/869,106

Filed: October 9, 2001

FOR: GRAM-POSITIVE BACTERIA DEPRIVED
OF HtrA PROTEASE ACTIVITY AND
THEIR USES

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) Group Art Unit: 1645
)
) Examiner: Graser, Jennifer E.
)
)
)

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop AF
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

**NOTICE OF APPEAL TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Final Office Action dated September 30, 2004 rejecting all examined claims of the above-identified application.

The item(s) checked below are appropriate:

1. ☒ A timely response to the final rejection was filed on January 31, 2005.
2. ☒ Notice of Appeal Fee (\$500/\$250) enclosed:
3. ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of 3 months.

An extension for 1 month has already been secured and the fee paid. Therefore, the amount of \$120.00 is deducted from the total fee due for the total months of extension now requested.

Extension of time fee due with this request:

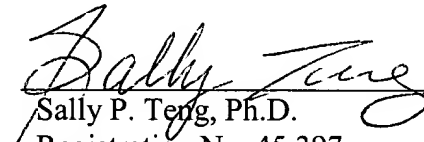
03/31/2005 JADD01 00000089 500310 09069106 \$ 500.00
01 FC:1401 500.00 DA
02 FC:1253 900.00 DA
900.00

4. ☒ Total Fees Due: \$ 1,400.00
5. ☒ The Commissioner is hereby authorized to charge \$1,400.00 to Deposit Account No. 50-0310 for Notice of Appeal Fee (\$500.00) and Second and Third Month Extension of Time Fee (\$900.00).
6. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully Submitted,
Morgan Lewis & Bockius LLP

Date: March 30, 2005
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